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September 13, 1999

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**Box: Missing Parts**

Assistant Commissioner for Patents  
Washington, D.C. 20231



Re: U.S. Utility Patent Application  
Appl. No. 09/236,113; Filed: January 25, 1999  
For: **Cathode Arc Source and Graphite Target**  
Inventors: SHI *et al.*  
Our Ref: 1581.0250001

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated February 12, 1999, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
3. Copy of the Notice to File Missing Parts of Application - Filing Date Granted;
4. Petition Under 37 C.F.R. § 1.47(a);
5. Combined Declaration and Power of Attorney;
6. Declaration of Dr. Xu Shi Under M.P.E.P. § 409.03(d), with Exhibit A attached thereto;
7. Declaration of George W. Schlich Under M.P.E.P. § 409.03(d), with Exhibits A-E attached thereto;
8. Information Disclosure Statement (*in duplicate*);
9. Form PTO-1449 including five (5) references cited therein;

Assistant Commissioner for Patents

September 13, 1999

Page 2


10. Our Check No. 25350 in the amount of \$3,116.00 to cover:
  - \$760.00 for the Basic Filing Fee;
  - \$1,850.00 for the Extension of Time (five (5) months, large entity);
  - \$130.00 for the Surcharge for late filing of oath;
  - \$130.00 for the Petition Fee; and
  - \$246.00 for Excess Claims Fee.
11. One (1) Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Linda E. Alcorn 32,831  
Attorney for Applicants  
Registration No. 39,588

LEA/ALF:awt  
Enclosures

## FEE TRANSMITTAL

*These are the fees effective October 1, 1997.*

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

**Complete if Known**

<b>Application Number</b>	09/236,113
<b>Filing Date</b>	January 25, 1999
<b>First Named Inventor</b>	Xu SHI
<b>Examiner Name</b>	To Be Assigned
<b>Group / Art Unit</b>	1753
<b>Attorney Docket Number</b>	1581.0250001/LEA/ALF

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)3,116.00</b>
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**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

19-0036

**Sterne, Kessler, Goldstein & Fox P.L.L.C.**

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed: ☒ Check No. 25850

☐ Money Order☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	<u>760.00</u>
106	310	206	155	Design filing fee	<u>          </u>
107	480	207	240	Plant filing fee	<u>          </u>
108	760	208	380	Reissue filing fee	<u>          </u>
114	150	214	75	Provisional filing fee	<u>          </u>

**SUBTOTAL (1) (\$)** 760.00

## 2. EXTRA CLAIM FEES

2. EXTRA CLAIM FEES	Extra	Fee from below	Fee Paid
Total Claims <u>25</u> - 20** = 5		X <u>18</u>	= <u>90.00</u>
Indep. Claims <u>5</u> - 3** = 2		X <u>78</u>	= <u>156.00</u>
Multiple Dependent Claims			=

\*\* or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependant claim
108	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 246.00

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
143	2,520	147	2,520	For filing a request for reexamination	
	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	1850.00
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	

**Other fee (specify) :**

Other fee (specify) :

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 2,110.00

## SUBMITTED BY

**Complete (if applicable)**

**Typed or  
Printed Name**

Linda E. Alcorn

**Req. Number**

39.588

**Signature**

Tracy Dunn 32.831

Date \_\_\_\_\_

September 13, 1999

Deposit Acct. User ID

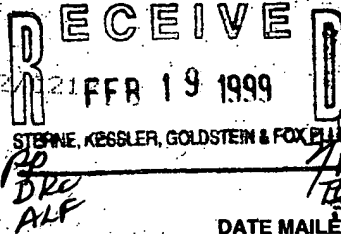
**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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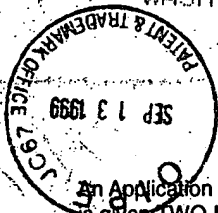
09/236,113 01/25/99 SH



1581.0250001

STERNE KESSLER GOLDSTEIN & FOX  
1100 NEW YORK AVENUE N.W.  
SUITE 600  
WASHINGTON DC 20005-3934

NOT ASSIGNED  
DATE MAILED: 1/25/99



### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1120.

- ☒ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.

Applicant must submit \$ 1120 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. Additional claim fees of \$ 2400, including any multiple dependent claim fees, are required.

\$ 1600 for independent claims over 3.

\$ 1000 for dependent claims over 20.

\$            for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☒ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**DOCKETED**

Decl filing fees Apr 12, 1999  
Stat Bar Sept 12, 1999

09236113 0000046 11111  
01 FC:101  
02 FC:105  
03 FC:102  
04 FC:103